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NOTICE OF ALLOWANCE AND FEE(S) DUE

5409

7590

10/15/2010

SCHMEISER, OLSEN & WATTS 22 CENTURY HILL DRIVE SUITE 302 LATHAM, NY 12110 EXAMINER

LEIVA, FRANK M

ART UNIT PAPER NUMBER

3714 DATE MAILED: 10/15/2010

APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/046,101	01/11/2002	Keith A. Raniere	FIRS-2994	2867	

TITLE OF INVENTION: ENTRANCE-EXCHANGE STRUCTURE AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	01/18/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where ar in m

maintenance fee notifica	correspondence including de below or directed other tions. DENCE ADDRESS (Note: Use BI				Note	: A certificate of	mailin	can only be used for	domestic mailing	s of the
					Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.					nanving
5409		5/2010						e of Mailing or Transı	nission	
SCHMEISER, 22 CENTURY I		I hereby certify that this Fee(s) Transmittal is being deposited with the Unit States Postal Service with sufficient postage for first class mail in an envelo addressed to the Mail Stop ISSUE FEE address above, or being facsimi transmitted to the USPTO (571) 273-2885, on the date indicated below.					United			
SUITE 302		trans	smitted to the USP	го (57	1) 273-2885, on the da	te indicated below				
LATHAM, NY	12110								(Deposit	or's name)
									()	Signature)
,					L					(Date)
APPLICATION NO.	FILING DATE			FIRST NAMED INVEN	TOR		ATTC	RNEY DOCKET NO.	CONFIRMATION	NO.
10/046,101	01/11/2002			Keith A. Raniere	:			FIRS-2994	2867	
TITLE OF INVENTION	N: ENTRANCE-EXCHA	NGE S	STRUCTURE ANI	O METHOD						
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APPLN. TYPE	SMALL ENTITY	IS	SUE FEE DUE	PUBLICATION FEE D	UE	PREV. PAID ISSUI	E FEE	TOTAL FEE(S) DUE	DATE DU.	
nonprovisional	YES		\$755	\$300		\$0		\$1055	01/18/201	.1
EXAM	EXAMINER		ART UNIT	CLASS-SUBCLASS	3					
LEIVA, F	FRANK M		3714	463-025000						
1. Change of correspond CFR 1.363).	ence address or indicatio	n of "F	ee Address" (37	2. For printing on (-			1		
Change of corresp	oondence address (or Cha	inge of	Correspondence	(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,						
	☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. ☐ "Fee Address" indication (or "Fee Address" Indication form			(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to						
PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.				2 registered patent attorneys or agents. If no name is listed, no name will be printed.						
3. ASSIGNEE NAME A	AND RESIDENCE DATA	А ТО В	E PRINTED ON	I THE PATENT (print o	or typ	e)				
PLEASE NOTE: Un	less an assignee is ident th in 37 CFR 3.11. Com	ified be	elow, no assignee	data will appear on t	he pa	ntent. If an assign	ee is io	lentified below, the do	cument has been	filed for
(A) NAME OF ASSI	•	pietion	of this form is NO	(B) RESIDENCE: (C	_	· ·	OUNT	RY)		
								,		
Please check the appropr	riate assignee category or	catego	ories (will not be pr	rinted on the patent):		Individual 🖵 Co	orporat	on or other private gro	up entity 🖵 Gov	ernment
4a. The following fee(s)	are submitted:		41	o. Payment of Fee(s):	Plea	se first reapply ar	ıy prev	iously paid issue fee s	hown above)	
	☐ Issue Fee				☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached.					
☐ Publication Fee (No small entity discount permitted) ☐ Advance Order - # of Copies			· ·	The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any					ıny	
				overpayment, to I	Depo	sit Account Numbe	er	(enclose ar	extra copy of this	form).
5. Change in Entity Sta	itus (from status indicate ns SMALL ENTITY stati		·	☐ b Applicant is no	lone	per claiming SMAI	L EN	ΓΙΤΥ status. See 37 CF	R 1 27(g)(2)	
NOTE: The Issue Fee an	nd Publication Fee (if req	uired) v	will not be accepted	d from anyone other th						party in
interest as shown by the	records of the United Sta	ites Pat	ent and Trademark	Office.						
Authorized Signature						Date				
Typed or printed name						Registration N	Го			
This collection of inform	nation is required by 37 C	CFR 1.3	311. The information	on is required to obtain	or r	etain a benefit by t	he pub	lic which is to file (and	by the USPTO to	process)
an application. Confiden submitting the complete this form and/or suggest Box 1450, Alexandria, V	ntiality is governed by 35 d application form to the	U.S.C USPT	. 122 and 37 CFR O. Time will vary	1.14. This collection is depending upon the	s est	imated to take 12 r idual case. Any co	minute: mmen	s to complete, including s on the amount of time	g gathering, prepar ne you require to c	ing, and omplete
Box 1450, Alexandria, V	nons for reducing this bu Virginia 22313-1450. DC	rden, sl D NOT	nould be sent to th SEND FEES OR (e Chief Information C COMPLETED FORM	S TO	r, ∪.S. Patent and THIS ADDRESS	rader S. SEN	nark Office, U.S. Depa D TO: Commissioner f	rtment of Commer or Patents, P.O. Bo	ce, P.O. ox 1450,
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10/046,101	01/11/2002	Keith A. Raniere	FIRS-2994	2867
5409 75	590 10/15/2010		EXAM	INER
SCHMEISER, O	LSEN & WATTS		LEIVA, F	RANK M
22 CENTURY HII	LL DRIVE		ART UNIT	PAPER NUMBER
SUITE 302 LATHAM, NY 12110			3714 DATE MAILED: 10/15/201	0

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1164 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1164 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
Examiner-Initiated Interview Summary	10/046,101	RANIERE, KEITH A.	
Examiner initiated interview callinary	Examiner	Art Unit	
	FRANK M. LEIVA	3714	
All Participants:	Status of Application:	_	
(1) FRANK M. LEIVA.	(3) <u>ARLEN OLSEN</u> .		
(2) <u>PETER DUNG VO</u> .	(4)		
Date of Interview: 24 September 2010	Time:		
Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applicant Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description:	ant's representative)		
Part I.			
Rejection(s) discussed:			
Claims discussed: 2, 25 28			
Prior art documents discussed:			
Part II.			
SUBSTANCE OF INTERVIEW DESCRIBING THE GENE the need to clarify the language trying to express in mathematica the mathematical expressions were found, and standard claim la	al terms the invention. Ambiguities	and unnecesary limitations by	
Part III.			
 It is not necessary for applicant to provide a separate directly resulted in the allowance of the application. The of the interview in the Notice of Allowability. It is not necessary for applicant to provide a separate did not result in resolution of all issues. A brief summar 	e examiner will provide a writte record of the substance of the	en summary of the substance interview, since the interview	
/F. M. L./ Examiner, Art Unit 3714			
	Applicant/Applicant's Representat	ive Signature – if appropriate)	